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# HOUSE BILL No. 1152

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-13-10.1; IC 36-7-13-12.1.

**Synopsis:** Community revitalization enhancement districts. Authorizes any municipality to apply for the designation of a community revitalization enhancement district under provisions currently applying only to first and second class cities.

**Effective:** Upon passage.

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January 6, 2005, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE BILL No. 1152

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 36-7-13-10.1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.1. (a) This  
3 section applies to a  
4 ~~(1) first class city; or~~  
5 ~~(2) second class city;~~  
6 **municipality.**  
7 (b) After approval by ordinance or resolution of the legislative body  
8 of a ~~city described in subsection (a);~~ **municipality**, the executive of the  
9 ~~city~~ **municipality** may submit an application to an advisory  
10 commission on industrial development requesting that one (1) area  
11 within the ~~city~~ **municipality** be designated as a district under section  
12 12.1 of this chapter. However, the total number of districts designated  
13 in a ~~city~~ **municipality** under this chapter after June 30, 2003,  
14 (excluding districts designated before July 1, 2003) may not exceed one  
15 (1).  
16 SECTION 2. IC 36-7-13-12.1 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12.1. (a) If the

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executive of a ~~city described in section 10.1(a) of this chapter~~  
**municipality** has submitted an application to an advisory commission  
 on industrial development requesting that an area be designated as a  
 district under this chapter and the advisory commission has compiled  
 and prepared the information required under section 11 of this chapter  
 concerning the area, the advisory commission may adopt a resolution  
 designating the area as a district if it finds the following:

- (1) That the redevelopment of the area in the district will:
  - (A) promote significant opportunities for the gainful employment of its citizens;
  - (B) attract a major new business enterprise to the area; or
  - (C) retain or expand a significant business enterprise within the area.
- (2) That there are significant obstacles to redevelopment of the area due to any of the following problems:
  - (A) Obsolete or inefficient buildings.
  - (B) Aging infrastructure or ineffective utility services.
  - (C) Utility relocation requirements.
  - (D) Transportation or access problems.
  - (E) Topographical obstacles to redevelopment.
  - (F) Environmental contamination.
  - (G) Lack of development or cessation of growth.
  - (H) Deterioration of improvements or character of occupancy, age, obsolescence, or substandard buildings.
  - (I) Other factors that have impaired values or prevent a normal development of property or use of property.

(b) To address the obstacles identified in subsection (a)(2), the ~~city~~  
**municipality** may make expenditures for:

- (1) the acquisition of land;
- (2) interests in land;
- (3) site improvements;
- (4) infrastructure improvements;
- (5) buildings;
- (6) structures;
- (7) rehabilitation, renovation, and enlargement of buildings and structures;
- (8) machinery;
- (9) equipment;
- (10) furnishings;
- (11) facilities;
- (12) administration expenses associated with such a project;
- (13) operating expenses; or

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(14) substance removal or remedial action to the area.

(c) In addition to the findings described in subsection (a), an advisory commission must also find that the ~~city described in section 10.1(a) of this chapter~~ **municipality** has expended, appropriated, pooled, set aside, or pledged at least two hundred fifty thousand dollars (\$250,000) for purposes of addressing the redevelopment obstacles described in subsection (a)(2).

(d) The advisory commission shall designate the duration of the district. However, a district must terminate not later than fifteen (15) years after the income tax incremental amount or gross retail incremental amount is first allocated to the district under this chapter.

(e) Upon adoption of a resolution designating a district, the advisory commission shall submit the resolution to the budget committee for review and recommendation to the budget agency. If the budget agency fails to take action on a resolution designating a district within one hundred twenty (120) days after the date that the resolution is submitted to the budget committee, the designation of the district by the resolution is considered approved.

(f) When considering a resolution, the budget committee and the budget agency must make the following findings:

(1) The area to be designated as a district meets the conditions necessary for designation as a district.

(2) The designation of the district will benefit the people of Indiana by protecting or increasing state and local tax bases and tax revenues for at least the duration of the district.

(g) The income tax incremental amount and the gross retail incremental amount may not be allocated to the district until the resolution is approved under this section.

**SECTION 3. An emergency is declared for this act.**

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